



## H.R. 2063 – Food Allergy and Anaphylaxis Management Act of 2007

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### FLOOR SITUATION

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H.R. 2063 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Nita Lowey (D-NY) on April 26, 2007. The resolution was referred to the House Committee on the Energy and Commerce and was reported out by voice vote on March 13, 2008.

H.R. 2063 is expected to be considered on the floor of the House on April 8, 2008.

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### SUMMARY

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H.R. 2063 directs the Secretary of Health and Human Services (HHS) to consult with the Secretary of Education to develop a voluntary policy for managing the risk of food allergy reactions and anaphylaxis in schools. The legislation directs the Secretary to establish, within a year, a set of guidelines that can be followed by schools and educational programs on a voluntary basis. These guidelines will be used by teachers and parents in order to monitor and control food related allergies. Included in the guidelines the Secretary must also address the use of epinephrine and how to properly train school officials to administer it, should a child go into anaphylactic shock.

The legislation also establishes a grant program for schools that decide to develop and implement plans and policies to reduce the risk of food allergies in their schools. The maximum amount of each grant is \$50,000 and no more than 2 percent of those funds can be used for administrative costs. In order to apply for a grant a school must complete the following:

- A certification that food allergy management guidelines have been adopted by the local educational agency;
- A detailed description of the activities to be funded by the grant in carrying out the food allergy management guidelines;
- An itemization of how grant funds received under this section will be expended;
- A description of how adoption of the guidelines and implementation of grant activities will be monitored; and
- An agreement by the local educational agency to report information required by the Secretary to conduct evaluations under this section.

The grant funds may be used for any of the following:

- To create systems and databases related to creation, storage, and maintenance of student records;
- Purchasing of equipment or services, or both, related to the creation, storage, and maintenance of student records;
- Partnering with local health departments, school nurse, teacher, and personnel training for food allergy management;



# LEGISLATIVE DIGEST

HOUSE REPUBLICAN CONFERENCE | CHAIRMAN ADAM PUTNAM

1420 LONGWORTH HOB, WASHINGTON, DC 20515

[www.GOP.gov](http://www.GOP.gov)

PHONE 202.225.5107

FAX 202.226.0154

- The purchase and storage of limited medical supplies, including epinephrine and disposable wet wipes;
- Programs that educate students as to the presence of, and policies and procedures in place related to, food allergies and anaphylactic shock; and/or
- Outreach efforts to parents.

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## BACKGROUND

Currently there are no Federal guidelines concerning the management of life-threatening food allergies in the school setting. Congress has found that three-quarters of the elementary school nurses surveyed reported developing their own training guidelines and that many schools do not employ a full time nurse, leaving the teachers to treat students. In a study of food allergy reactions in schools and day-care settings, delays in treatment were attributed to a failure to follow emergency plans, calling parents instead of administering emergency medications, and an inability to administer epinephrine to prevent anaphylactic shock from occurring.

Food-allergic reactions are the leading cause of anaphylaxis outside the hospital setting, accounting for an estimated 30,000 emergency room visits, 2,000 hospitalizations, and 150 to 200 deaths each year in the United States. Anaphylaxis causes the lungs to constrict making it impossible to breathe.

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## STAFF CONTACT

For questions or further information contact Luke Hatzis at (202) 226-2302.